

1 LEON DAYAN (State Bar No. 153162)  
ABIGAIL V. CARTER\*  
2 RAMYA RAVINDRAN\*  
LANE M. SHADGETT\*  
3 J. ALEXANDER ROWELL\*  
**BREDHOFF & KAISER P.L.L.C.**  
4 805 Fifteenth Street NW, Suite 1000  
Washington, DC 20005  
5 Telephone: (202) 842-2600  
Facsimile: (202) 842-1888  
6 ldayan@bredhoff.com  
acarter@bredhoff.com  
7 rravindran@bredhoff.com  
lshadgett@bredhoff.com  
8 arowell@bredhoff.com  
\*Application *pro hac vice* forthcoming

9 Daniel Feinberg, SBN 135983  
10 Catha Worthman, SBN 230399  
Anne Weis, SBN 336480  
11 **FEINBERG, JACKSON, WORTHMAN  
& WASOW, LLP**  
12 2030 Addison Street, Suite 500  
Berkeley, CA 94704  
13 Tel. (510) 269-7998  
Fax (510) 269-7994  
14 dan@feinbergjackson.com  
catha@feinbergjackson.com  
15 anne@feinbergjackson.com

16 *Attorneys for Plaintiffs*

17 **UNITED STATES DISTRICT COURT**  
18 **NORTHERN DISTRICT OF CALIFORNIA**  
19 **SAN FRANCISCO DIVISION**

20 AMERICAN FEDERATION OF  
21 GOVERNMENT EMPLOYEES, AFL-CIO, et  
al.,

22 Plaintiffs,

23 v.

24 DONALD J. TRUMP, in his official capacity as  
25 President of the United States, et al.,

26 Defendants.  
27  
28

Case No.: 3:25-cv-03070-JD

**DECLARATION OF PAULA J.  
SOLDNER**

**DECLARATION OF PAULA J SOLDNER**

I, Paula J. Soldner, declare as follows:

1. I am over 18 years of age and competent to give this declaration. This declaration is based on my personal knowledge, information, and belief.

2. I am a Consumer Safety Inspector at United States Department of Agriculture (USDA), Food Safety Inspection Service (FSIS). I have worked for USDA for approximately 37 years, since 1987. In my job over the years, I have worked to ensure that plants were producing safe, wholesome, and properly-labeled products.

3. I am currently the National Joint Council Chairwoman for Bargaining Council #45 ("the Union"), Northern Council President for Council #201, and Local 0666 Secretary/Treasurer of the American Federation of Government Employees. I am also a member of Local 0666.

4. Bargaining Council #45 is the exclusive bargaining representative of the civil servants who work for USDA, FSIS. These employees primarily include Consumer Safety Inspectors and Food Inspectors that perform mission critical duties in the United States and islands recognized by the Government. These bargaining unit members collect samples for pathogens per agency policies, review plant food safety systems, inspect exported and imported products, and ensure regulatory requirements are met. There is nothing in these positions that relates to National Security. These unit employees' jobs are to regulate plants' processes for food safety. The March 27, 2025, Executive Order titled "Exclusions from Federal Labor Management Relations Programs" ("Executive Order") covers all of the Consumer Safety Inspectors and Food Inspectors in Bargaining Council #45.

4. Bargaining Council #45's mission is to advocate for and promote the interests of bargaining unit members in their federal employment, including working for a safe and fair workplace for all members. As the exclusive bargaining representative of these workers, the Union provides many services to all bargaining unit members. Core functions of the Union include collective bargaining with the agency to obtain a Labor Management Agreement

Declaration of Paula J. Soldner

1 (“LMA”); filing and negotiating grievances against the agency to enforce the terms and  
 2 conditions of the LMA; pursuing arbitrations on behalf of workers to enforce the LMA; and  
 3 providing other support, guidance, and resources to bargaining unit employees.

4 5. The Executive Order will have an immediate adverse effect on the Union’s ability  
 5 to provide these services to unit members and to accomplish its mission.

6 6. If the Union is no longer the exclusive bargaining representative of the unit, the  
 7 Union cannot enforce the LMA against the agency. The LMA, which is effective from June 7,  
 8 2023, to June 7, 2026, provides important rights and protections to workers. For instance, the  
 9 CBA:

- 10 a. Sets terms and conditions for working hours, overtime, sick leave, holidays, relief  
 11 breaks, lunch period, detail procedures providing travel instructions with detailed  
 12 information about the plant to effectively know what the unit employee may  
 13 encounter and paid time off for workers in the unit.
- 14 b. Imposes safety and health requirements to ensure the welfare of workers in their  
 15 place of employment.
- 16 c. Establishes protections for workers regarding reduction-in-force (“RIF”) actions  
 17 and Work Reductions procedures
- 18 d. Imposes procedures for and limitations on disciplinary and adverse actions against  
 19 workers.
- 20 e. Provides for an Employee Assistance Program for individuals who have problems  
 21 associated with alcohol, drug, marital, family, legal, financial, stress, attendance,  
 22 and other personal concerns.
- 23 f. Establishes grievance and arbitration procedures for employees and the Union to  
 24 resolve disputes with the agency over employment matters.
- 25 g. Provides for official time, which allows bargaining unit employees to perform  
 26 union representation activities during government time, as reasonable and  
 27 necessary.

1 h. Provides for Circuit Safety Committees that review plants and accidents that  
2 occur in the workplace of that Circuit and submit reports to FSIS.

3 Without the Union to represent them and enforce the LMA, the workers will not have the  
4 benefit of those rights and protections going forward. I understand that the agency is likely to  
5 rescind the LMA under the Executive Order.

6 7. As a result of the Executive Order, pending grievances and arbitrations to  
7 vindicate workers' rights, including under the LMA, will be left unresolved. Currently, the  
8 Union has an arbitrator award that deals with overtime, to which the Agency filed an exception.  
9 The Union has the right and responsibility to submit an opposition.

10 8. The Union's activities are funded through members' voluntary dues, most of  
11 which are paid through payroll deduction from their pay. If AFGE can no longer receive dues  
12 through payroll deduction under the Executive Order, that will make it significantly more  
13 difficult for the Union to continue to function and to provide the services and protection to unit  
14 members listed above.

15 9. Official time is very important to enable bargaining unit workers with union roles  
16 to perform representative activities on behalf of their coworkers while on government time.  
17 Those activities can include working with management to efficiently resolve disputes over  
18 workplace problems, representing coworkers in grievances and disciplinary actions, and ensuring  
19 safe working conditions and procedures. If the Executive Order disallows official time, that will  
20 seriously hinder the union's ability to perform its fundamental representational functions.

21 10. Because of the Executive Order, my coworkers and I are afraid to publicly speak  
22 out or take positions that the Trump Administration might not agree with. We feel targeted by  
23 the Executive Order and hesitant to incur the risk of additional retaliation. Additionally, without  
24 the protection of the LMA and the Union as our exclusive bargaining representative, it is  
25 common sense that workers will be afraid to raise concerns over workplace conditions with  
26 FSIS.

11. The Union received a notice from the Administrator of FSIS on March 31, 2025, referencing the Executive Order and describing its implementation at FSIS. Specifically the notice stated that due to the Executive Order, the collective bargaining agreement and any other negotiated agreements between the Union and FSIS are no longer in effect; that official time will no longer be granted to Union representatives; that payroll deduction for Union dues will stop in pay period 5; and that FSIS will no longer participate in any ongoing proceedings concerning grievances, arbitrations, negotiations, unfair labor practices, or any matters under the FSLMRS. See Attachment 1.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed April 1, 2025, in Beloit, Wisconsin.

Paula Soldner

Paula J. Soldner

# **ATTACHMENT 1**



## United States Department of Agriculture

Food Safety and  
Inspection Service

1400 Independence  
Avenue, SW  
Washington, D.C.  
20250-3700

**DATE:** March 31, 2025

**TO:** Paula Soldner, Chairperson  
National Joint Council of Food Inspection Locals (NJCFIL), AFGE

**FROM:** Dr. Denise Eblen, Administrator  
Food Safety and Inspection Service (FSIS)

**SUBJECT:** Notice of Exclusion from the Federal Service Labor-  
Management Relations Statute (FSLMRS) and Accompanying  
Actions

On March 27, 2025, President Trump signed an executive order (EO) entitled [Exclusions from Federal Labor-Management Relations Programs \(Exclusions\)](#). This order invoked the President's authority under 5 U.S.C. § 7103(b)(1) and 22 U.S.C. § 4103(b) to exempt agencies and agency subdivisions from the provisions of the Federal Service Labor-Management Relations Statute and the Foreign Service Labor-Management Relations Statute (individually and collectively, the FSLMRS). By operation of 5 U.S.C. § 7103(b) and *Exclusions*, FSIS is no longer subject to the collective-bargaining requirements of chapter 71 of part III, subpart F of title 5 (5 U.S.C. §§ 7101-7135).

Based on the foregoing and as of the date of this notice, FSIS no longer recognizes the National Joint Council of Food Inspection Locals (NJCFIL) as the exclusive representative for employees referenced in the Federal Labor Relations Authority (FLRA) certification dated October 24, 1968, clarified on December 21, 1984, and August 29, 1990, and clarified and amended March 6, 2003, and the following actions are being taken:

- A. The collective bargaining agreement (CBA) between FSIS and the NJCFIL dated June 7, 2023, and any other negotiated agreements between these parties are no longer in effect for those employees.
- B. Official time per 5 U.S.C. § 7131 *et seq.* will no longer be granted to employees who previously served as NJCFIL union representatives under the CBA, and union dues deductions will be stopped in pay period 5. Notices will be sent to the affected employees, informing them of these changes.
- C. FSIS will no longer participate in ongoing and pending proceedings regarding negotiations, grievances, arbitrations, unfair labor practices, or any other matters under the FSLMRS.

Any questions or concerns regarding these actions should be directed to Rayann Brunner, Director, LERD, at [Rayann.Brunner@usda.gov](mailto:Rayann.Brunner@usda.gov).